



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-6290

**Type:** Real Property Sale

**In control:** City Council A Session

**On agenda:** 1/11/2018

**Title:** An Ordinance closing, vacating and abandoning a 0.0169 acre unimproved portion of a 15-foot wide alley located between Sharmain Place and Sunglo Drive and a 0.0914 acre unimproved portion of a 20-foot wide alley located between Pleasanton Road and Oppenheimer Avenue in City Council District 3 as requested by BBRH, LLC, for a fee of \$8,031.75. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Survey, 2. Exhibit A, 3. Form 1295, 4. Contracts Disclosure Form, 5. Letter of Agreement, 6. Draft Ordinance, 7. Ordinance 2018-01-11-0008, 8. Staff Presentation

Date	Ver.	Action By	Action	Result
1/11/2018	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Transportation & Capital Improvements

**DEPARTMENT HEAD:** Mike Frisbie, P.E.

**COUNCIL DISTRICTS IMPACTED:** Council District 3

**SUBJECT:**

Disposition: Public Right-of-Way Closures (portions of two unimproved alleys)

**SUMMARY:**

An ordinance closing, vacating and abandoning a 0.0169 acre unimproved portion of a 15-foot wide public alley located between Sharmain Place and Sunglo Drive and a 0.0914 acre unimproved portion of a 20-foot wide public alley located between Pleasanton Road and Oppenheimer Avenue adjacent to NCB 9330, in Council District 3, as requested by BBRH, LLC, for a fee of \$8,031.75.

**BACKGROUND INFORMATION:**

Petitioner (BBRH, LLC) is requesting to close, vacate and abandon a 0.0169 acre (735 square feet) unimproved portion of a 15-foot wide public alley located between Sharmain Place and Sunglo Drive and a 0.0914 acre

(3,980 square feet) unimproved portion of a 20-foot wide public alley located between Pleasanton Road and Oppenheimer Avenue adjacent to New City Block 9330. Both of these requests are shown on attached Exhibit “A” and are located in Council District No. 3.

The B & B Smokehouse restaurant currently operates on the Petitioner’s property located at 2627 Pleasanton Road. If this request is approved, the Petitioner plans to assemble its abutting properties with the proposed alley closures for the future development of a new B & B Smokehouse restaurant. Petitioner has indicated that the closures of these two unimproved alleys are critical for the plan to provide parking and other improvements to the restaurant site. Preliminary construction work on the new restaurant is anticipated to start in December 2017 with all construction on the new restaurant and parking anticipated to be complete by June 2018.

**ISSUE:**

This ordinance will close, vacate and abandon portions of two unimproved alleys, in Council District 3, as requested by BBRH, LLC, for a fee of \$8,031.75.

BBRH, LLC, Petitioner, is requesting the closure, vacation and abandonment of a 0.0169 acre unimproved portion of a 15-foot wide public alley located between Sharmain Place and Sunglo Drive and a 0.0914 acre unimproved portion of a 20-foot wide public alley located between Pleasanton Road and Oppenheimer Avenue, as shown on attached Exhibit “A.” If approved, Petitioner plans to assemble its abutting properties with the proposed closures for future development of a new B & B Smokehouse restaurant. Petitioner has indicated that the closures of these two unimproved alleys are critical for the plan to provide parking and other improvements to the restaurant site.

This action is consistent with City Code and Ordinances, which require City Council approval for the sale or disposition of City-owned or controlled real property.

**ALTERNATIVES:**

City Council could choose not to approve this request; however, if not approved, the right-of-way will remain underutilized.

**FISCAL IMPACT:**

The closure fee originally established for this request was \$10,709.00, which includes the assessed value of the two public rights-of-way at \$10,609.00 utilizing Bexar Appraisal District assessed land values as provided by Chapter 37, Section 2(g)(2) of the City Code, plus \$100.00 for recording fees. The closure fee has been reduced by 25% in accordance with the Inner City Reinvestment/Infill Policy (ICRIP). At City Council’s discretion and approval, the City will collect the reduced amount of \$8,031.75 for these closures, and the revenue will be deposited into the General Fund in accordance with the FY 2018 Adopted Budget.

The property will be placed on the tax rolls, generating revenue for the City of San Antonio and other taxing entities.

**RECOMMENDATION:**

Staff recommends approval of this request to close, vacate and abandon portions of two unimproved alleys to permit BBRH, LLC to assemble its abutting properties with the proposed alley closures to allow for the future

development of a new B & B Smokehouse restaurant in Council District 3.

The City of San Antonio's Planning Commission will consider this request at its regular meeting of December 13, 2017.